

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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EDWIN LUGO, JR.,

Plaintiff,

-against-

06 Civ. 13187 (LAK)

R. JAMES NICHOLSON,

Defendant.  
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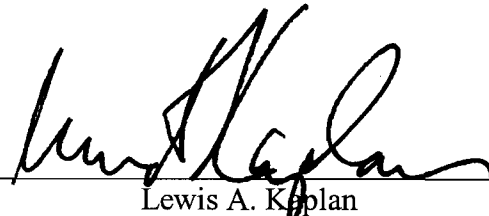
**ORDER**

LEWIS A. KAPLAN, *District Judge.*

By report and recommendation dated May 19, 2010, Magistrate Judge Gabriel Gorenstein recommended that defendant's motion for summary judgment dismissing the complaint be granted. No objections have been filed although the time within which to do so has expired. Accordingly, the motion for summary judgment is granted. The Clerk shall close the case.

SO ORDERED.

Dated: July 8, 2010



Lewis A. Kaplan  
United States District Judge

